



STATE OF IDAHO

DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton, Boise, ID 83706-1255, (208) 373-0502

Dirk Kempthorne, Governor
Toni Hardesty, Director

**NOTICE OF SCHEDULED HEARING AND CONTINUATION OF
PUBLIC COMMENT PERIOD REGARDING PROPOSED MODIFICATION TO A
TIER I PERMIT TO OPERATE AN AIR POLLUTION-EMITTING FACILITY**

Pursuant to IDAPA 58.01.01.382 of the Rules for the Control of Air Pollution in Idaho, J.R. Simplot, Don Siding Plant, Pocatello, applied to the Department of Environmental Quality (DEQ) for a modification to its existing Tier I permit to operate its phosphate fertilizer facility located at UTM Coordinates (KM) 375.6, 4751.6. The proposed modifications incorporate changes specified in the contested case settlement dated June 10, 2004. To clarify the initial notice, DEQ invites comment on these changes only, which include permit terms that are delineated in the statement of basis to the proposed modified Tier I. Per public request, the Idaho Department of Environmental Quality (DEQ) has scheduled a public hearing under Docket No. 10AP-0415 and has extended the period for public comment concerning the air quality aspects of the proposed modification.

The public hearing is scheduled for 6:00 p.m., January 12, 2004, in the Pocatello City Hall, Council Chambers at 911 N. Seventh Street in Pocatello, Idaho. The selected meeting site is accessible to the physically disabled. Interpreters can be provided upon five days notice for persons with hearing impairments. For arrangements, contact the undersigned at (208) 373-0234. Braille or taped transcripts can be provided after the meeting for persons with visual impairments.

A package containing the information submitted by the applicant, the DEQ's analysis, and the draft action is available at the following locations:

DEQ State Office
1410 N. Hilton
Boise, Idaho

DEQ Regional Office
444 Hospital Way, #300
Pocatello, Idaho

Marshall Public Library
113 S. Garfield
Pocatello, Idaho

Anyone may submit written comment regarding the proposed modifications to the Tier I permit. To be most effective, comments should address air quality considerations and include support materials where available. Comments, requests, and questions regarding the public comment process should be directed to Joan Lechtenberg, Department of Environmental Quality, 1410 N. Hilton, Boise, ID 83706-1255, jlechtenl@deq.state.id.us, or (208) 373-0234. Please reference the company name and docket number when sending comments or requesting information.

For technical assistance on questions concerning this project or the permitting process, please contact Dan Pitman at (208) 373-0502 or dpitman@deq.state.id.us.

All written comment and data concerning this proposal must be directed to and received by the undersigned on or before 5:00 p.m. MST, January 13, 2004.

Following the public comment period and public hearing, the DEQ will evaluate comments received on the modified permit terms and develop a proposed permit.

The proposed modified permit will be submitted to the Environmental Protection Agency (EPA) for a 45-day review period.

The Tier I operating permit will either be issued to the facility or redrafted if EPA provides substantive comments that would result in an EPA veto of the proposed permit.

DATED this 3rd day of December, 2004.

Joan Lechtenberg
Air Quality Division